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September 18, 2017

VIA ECF FILING

Hon. Michael A. Hammer, Magistrate Court Judge
United States District Court
District of New Jersey
Martin Luther King Building & U.S. Courthouse, Court Room 2C
50 Walnut Street
Newark, New Jersey 07101

Re: Reed, et al. v. The Swatch Group (U.S.) Inc. – Case No. 14-cv-00896-ES-MAH

Dear Judge Hammer

We are counsel to Defendant The Swatch Group (U.S.) Inc. (“Swatch Group”) in the above-referenced matter, and write with the authority and consent of Plaintiffs’ counsel, which consent to this letter contemplates the parties’ recent meet-and-confer meetings.

While the parties await Judge Salas to decide Swatch Group’s dismissal motion, the parties have engaged in limited settlement discussions, which are expanding, and made some advancement with discovery. Swatch Group is reviewing thousands of boxes and tens of thousands of documents to render discovery production more efficient and practical, and will devise a plan to make available the boxes, scattered through different warehouses, in an organized fashion to ease the parties’ joint discovery burdens. Swatch Group also will run ‘scripts’ which are proprietary programs crafted by Swatch Group or its vendors, to identify certain purchases at various Swatch stores throughout the country during certain years, run by its two third-party register vendors. These ‘scripts’ are custom software programs designed to extract data from Swatch Group’s servers through its data management system, and take time to create and implement to run and source the required data, also easing the parties’ joint discovery burdens. We expect to share with Plaintiffs the proposed plan by October 1, including a plan to make available e-mail traffic and exchanges through ‘Boolean’ searches of desired terms, which contemplate the review of hundreds of thousands of email.

The search results require Swatch Group to review the e-mail, and that may take additional weeks. We therefore propose that the parties work-out a revised discovery plan contemplating the review of tens of thousands of boxes of documents and receipts; e-data based upon sales at certain stores

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throughout the country over agreed-upon years through certain vendors; and hundreds of thousands of email, among other documents, and present the discovery plan to the court by October 5.

Meanwhile, the parties will continue their settlement discussions.

We look forward to sharing more detail as the court requests. The parties jointly thank the court for its time on this matter.

Very truly yours,

Samuel D. Levy

C (via ECF): All Counsel of Record